IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLN. OF: ABRAMS et al.

FILED: January 12, 2004

FOR: METERING AND PACKAGING OF CONTROLLED RELEASE...

GROUP: 1615

EXAMINER: SUSAN T. TRAN DOCKET: MICRODOSE 99.02 CON2

MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby proffer U.S. Patent Office Forms PTO-1449 and PTO-892. The present application is a continuation under 37 CFR 1.53(b) of application Serial No. 10/044,612, filed January 11, 2002, which in turn is a continuation of Serial No. 09/376,619, now issued U.S. Pat. No. 6,428,809, issued August 6, 2002 wherein the references referred to in the enclosed U.S. Patent Office Forms PTO-1449 and PTO-892 have been previously submitted or cited. Accordingly, it is respectfully submitted that no copies of these references are believed necessary. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

HAYES SOLOWAY P.C. 130 W. CUSHING ST. TUCSON, AZ 85701 TEL. 520.882.7623 FAX. 520.882.7643

175 CANAL STREET MANCHESTER, NH 03101 TEL. 603.668.1400 FAX. 603.668.8567 In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway

Attorney for Applicant

Reg. No. 24,315

CERTIFICATE OF EXPRESS MAIL

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Date of Deposit January 12, 2064
I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Signature of person mailing: Shauna Bronson
Name of person mailing:

HAYES SOLOWAY P.C.

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Docket Number (Optional) Application Number MICRODOSE 99.02 CIP Unknown INFORMATION DISCLOSURE CITATION Applicant(s) ABRAMS, et al. (Use several sheets if necessary) Filing Date Group Art Unit U.S. PATENT DOCUMENTS EXAMINER FILING DATE SUBCLASS REF DOCUMENT NUMBER DATE NAME CLASS INITIAL IF APPROPRIATE 5,960,609 10/05/1999 ABRAMS et al. 4,795,644 01/03/1989 ZENTNER FOREIGN PATENT DOCUMENTS Translation DATE COUNTRY CLASS SUBCLASS REF DOCUMENT NUMBER YES OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER** DATE CONSIDERED

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Application/Control No. Applicant(s)/Patent Under Reexamination 10/044,612 ABRAMS ET AL. Notice of References Cited Art Unit Examiner Page 1 of 1 Susan Tran 1615

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY		Name		assification
V	, A	US-4197289	04-1980	Sturzenegger et al.		WUIT	424/21
V	В	US-6319541	11-2001	Pletcher et al.			427/2.14
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FOREIGN PATENT DOCUMENTS

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A	6,027,748	2200		onte et al.		424	458
В	5,508,040	4/1996		Chen		424	451
c	5,074,426	12/1991	Go	odhart et al.		220	4.24
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U.S. PATENT DOCUMENTS

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X	Α	US-4795644	01-1989	Zentner	424/468
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